

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MARYLAND
(Baltimore Division)

IN re: ROBERT E. DAY, JR.) CASE NO. 13-30487-NVA
Debtor,) CHAPTER 7
)
KIM MICHELLE STERRETT)
Movant,)
)
v.)
)
ROBERT E. DAY)
AKA ROBERT EUGENE DAY, JR,)
Debtor/Respondent)
)
And)
)
LORI D. SIMPON,)
Trustee/Respondent)

AMMENDED MOTION TO EXTEND TIME TO OBJECT TO DISCHARGE, DETERMINE
NON-DISCHARGEABILITY OF DEBT, AND COMMENCE ADVERSARY PROCEEDING

I am Kim Michelle Sterrett, Debtor's largest creditor and ex-wife as a result of our recently-concluded divorce. I cannot afford legal counsel, so I am appearing on my own behalf to ask this Court to please grant this Motion to Extend Time to Object to Discharge, Determine Non-Dischargeability, and Commence Adversary Proceedings. In support of my request, please consider:

1. This Court has jurisdiction over this matter pursuant to Federal Rule of Bankruptcy Procedure 4004(b) and 9006(b)(1)(1).

- 2.** On or about December 5, 2013, Robert Eugene Day, Jr. ("Debtor") filed a voluntary petition for relief in this Court under Chapter 7 of the United States Bankruptcy Code.
- 3.** Lori D. Simpson is the Chapter 7 Trustee of the Debtor's bankruptcy estate.
- 4.** The Rule 341 Creditors' Meeting was held on January 13, 2014.
- 5.** The deadline to file a complaint to determine the dischargeability of the Debtor's debts, to oppose the Debtor's discharge, and to file an adversary proceeding in this case is March 14, 2014.
- 6.** Federal Rules of Bankruptcy Procedure permit this Court to extend the deadline for filing an objection to discharge, determine nondischargeability of debts, and institute an adversary proceeding if both of the following exist (1) timely motion, and (2) cause.
- 7.** The period for the filing of a complaint objecting to discharge, determine non-dischargeability, and file an adversary proceeding has not expired as of the date and time of the filing of this Motion and it is, therefore, timely.
- 8.** Cause for extension exists because this is a complicated case and it is taking time for me to investigate and ascertain Debtor's assets, property, liabilities, and financial condition. The complicated nature of this case is evidenced by the fact that U.S. Trustee for Region Four ("U.S. Trustee") has already filed a motion for a ninety (90)

Amended Motion To Extend Time To Object To Discharge, Determine Non-Dischargeability, and Commence Adversary Proceeding Case No. 13-30487-NVA Chapter 7

day extension because, as she stated, she "requires additional time to complete an investigation" into abuse and fraud in Debtor's case.

9. Since good cause exists and this motion is timely, I am requesting that the Court extend the time I have to file a motion to object to Debtor's discharge, extend the time to file a motion to declare certain debts non-dischargeable, and extend the time for commencing adversary proceedings for a period of approximately ninety (90) days to and through June 12, 2014, coterminous with the extended date requested by the U.S. Trustee.

10. Pursuant to Local Bankruptcy Rule 9013-2, I am Kim Michelle Sterrett I state that I am not filing a memorandum of law in support of this motion.

WHEREFORE, I respectfully request this Court enter an Order:

- (a) Granting this Motion;
- (b) Extending the deadline to file objections to discharge for a period of approximately ninety (90) days to and through June 12, 2014;
- (c) Extending the deadline to file a motion to determine nondischargeability of debts for a period of approximately ninety (90) days to and through June 12, 2014;

Amended Motion To Extend Time To Object To Discharge, Determine Non-Dischargeability, and Commence Adversary Proceeding Case No. 13-30487-NVA Chapter 7

- (d) Extending the deadline to commence and adversary proceeding for a period of approximately ninety (90) days to and through June 12, 2014; and
- (e) Granting such other and further relief as this Court deems just and proper.

AFFIDAVIT

I, Kim Michelle Sterrett, hereby affirm under the penalty of perjury that the foregoing is accurate and true to the best of my knowledge and belief.

Respectfully Submitted,

Kim Michelle Sterrett

Amended Motion To Extend Time To Object To Discharge, Determine Non-Dischargeability, and Commence Adversary Proceeding Case No. 13-30487-NVA Chapter 7

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DEAR CLERK:

Enclosed for filing, please find Kim Michelle Sterrett's Amended Motion to Extend Time in the above captioned matter. Please return a date stamped copy of the enclosed and return it to me.

Thank you for your attention to the matter.

Respectfully submitted,



Kim Michelle Sterrett
5343 High Wheels Ct
Columbia, MD 21044
(202) 618-2793

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ORDER EXTENDING TIME TO OBJECT TO DISCHARGE, DETERMINE NON-DISCHARGEABILITY OF DEBT, AND COMMENCE ADVERSARY PROCEEDING

Upon consideration of the creditor Kim Michelle Sterrett's Amended Motion to Extend Time to Object to Discharge, Determine Non-Dischargeability, and Commence Adversary Proceeding, and finding good cause for the granting thereof, it is, by the United States Bankruptcy Court for the District of Maryland,

ORDERED, that the Motion be, and hereby is, **GRANTED**, and that the deadlines to object to the debtor's discharge, to move to file for determination of non-dischargeability of debt, and to commence adversary proceeding hereby are extended to and through June 12, 2014.

cc: Hugh M. Bernstein
Reginald Powell
Paul J. Adams
Colin J. Casler

Motion To Extend Time To Object To Discharge, Determine Non-Dischargeability, and Commence Adversary Proceeding Case No. 13-30487-NVA Chapter 7

Renee O. Dyson
Lori S. Simpson

[End of Order

Motion To Extend Time To Object To Discharge, Determine Non-Dischargeability,
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Page